THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.14721 of 2007

Date 16-7-2007

Between:
S. Anantha Reddy

……PETITIONER

AND

The Regional Director of Medical &
Health Services, Warangal and others.

……..RESPONDENTS

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 14721 of 2007

ORDER: (per Smt. T.Meena Kumari,J)

The petitioner filed the present writ petition seeking a Writ of Certiorari to call for the records relating to the order dated 22.12.2006 passed in O.A. No. 7620 of 2006 on the file of the A.P. Administrative Tribunal, Hyderabad and to set aside the same. He also sought for a consequential direction to the respondents to pay back wages to the petitioner for the period from November, 1987 to April, 2002, during which he was out of service.

The brief facts of the case are that the petitioner was appointed as Non-Medical Assistant vide Order Rc. No. C1/100/1979, dated 9.2.1982 after due selection and after his name was duly sponsored by the employment exchange. While so, the 1st respondent terminated him from service on 6.11.1987 on the ground that he produced false Leprosy Training Certificate and a criminal case was also registered in that regard. The said criminal case ultimately ended in acquittal. The petitioner and others, thereafter, approached the Tribunal by way of O.A. No. 1458 of 2001 seeking reinstatement. The Tribunal allowed the said O.A. on 13.4.2001 and directed the 1st respondent to reinstate the petitioners into service. It also

directed the 1st respodent to give them notional seniority, but denied back wages. Aggrieved by the same, the petitioner-applicant, again filed O.A. No.7620 of 2006 before the Tribunal claiming back wages. The Tribunal, by the order impugned in this writ petition, dismissed the said O.A. Hence, the petitioner filed the present writ petition.

Heard the learned counsel for the petitioner and perused the order of the Tribunal.

Admittedly, when the petitioner earlier filed OA. No. 1458 of 2001 before the Tribunal questioning the termination order seeking reinstatement, the Tribunal allowed the said O.A. and directed the authorities to reinstate the petitioner into service by giving him notional seniority. It, however, denied back wages to him. Undisubaly, the said order has become final and the petitioner again approached the Tribunal by filing another O.A., namely, O.A. No. 7620 of 2006, impugned in the present writ petition. The Tribunal, by the order impugned in this writ petition, dated 2.12.2006, dismissed the said O.A. on the ground that if the petitioner is aggrieved by the order passed by the Tribunal, the proper remedy for the petitioner is to question the same by filing a writ petition before the High Court, but he cannot file another O.A. before it assailing the very same order when once the said order passed by it has become final.

We, therefore, do not find any illegality or irregularity in the order passed by the Tribunal warranting interference.

The writ petition fails and the same is accordingly dismissed.

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(T. MEENA KUMARI,J)

Date: 16th July, 2007

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(G. CHANDRAIAH,J)

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